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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/622,662  | 10/19/2000  | Hidehiko Shin        | 32908               | 2713             |
| 116   | 7590        | 01/29/2004           | EXAMINER            |                  |
| PEARNE & GORDON LLP<br>1801 EAST 9TH STREET<br>SUITE 1200<br>CLEVELAND, OH 44114-3108 |             |                      | LUU, SY D           |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2174                | 10               |

DATE MAILED: 01/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/622,662

Applicant(s)

SHIN ET AL.

Examiner

Sy D Luu

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) 5 and 6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7 and 8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of Invention Group I, claims 1-4 and 7-8 in Paper No. 9 is acknowledged.

### ***Specification***

2. The disclosure is objected to because of the following informalities: the phrase "means 105 is operative to according to judge according to a result..." on lines 12-13 of page 11 is grammatically awkward. Appropriate correction is required.
3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Kyoichi et al. ("Kyoichi", JP-10039981A).

As per claim 1, Kyoichi teaches a hypertext display apparatus for displaying a hypertext document, comprising:

Art Unit: 2174

display means (**abstract**; *element 106*) for displaying the hypertext document (**abstract**; *HTML document*);

selection means (**abstract**; *element 108*) for selecting an anchor on the hypertext document according to an instruction from a user;

analysis means for analyzing the hypertext document and for extracting anchor information,

attribute selection judgment means for judging according to outputs of said selection means and said analysis means whether or not an anchor having an attribute corresponding to said selection means is selected,

attribute activation judgement means for judging according to an output of the attribute selection judgement means whether or not an anchor having an attribute corresponding to said selection means is activated, and

acquisition means for acquiring from a server data, which is indicated by the anchor information, according to an output of said attribute activation judgement means (**abstract**).

Claim 2 is similar in scope to claim 1, and would have been rejected under similar rationale. Kyoichi also discloses focus moving means for moving focus to a location in a hypertext document, which is designated by anchor information selected by said selection means (**abstract**; *moving to the link destination corresponding to the selection*).

#### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2174

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyoichi et al. ("Kyoichi", JP-10039981A).

As per claims 3 and 7, Kyoichi does not explicitly disclose said selection means being a means allowing a user to depress a button/key to select an anchor. Official Notice is taken that the use of such a means, e.g. a mouse input device, is notoriously well known in the art. It would have been obvious to an artisan at the time of the invention to include such a selection means with Kyoichi's apparatus in order to provide users with a means for making a selection.

8. Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyoichi et al. ("Kyoichi", JP-10039981A) in view of Noguchi (US 5,983,184).

As per claims 4 and 8, Kyoichi does not teach the selection means to select an anchor by utilizing audio. Noguchi teaches a system for making selection of hyperlinks through voice input (**abstract**). It would have been obvious to an artisan at the time of the invention to

Art Unit: 2174

combine Noguchi's voice input feature with Kyoichi's apparatus in order to further facilitate user's navigation control for users with specific needs.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Himmel et al. (US 6,211,874 B1)

Bates et al. (US 5,987,482)

Bates et al. (US 6,585,776 B1)

Scott (US 2001/0017634 A1)

Scott (US 2002/0075315A1)


***Inquires***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is (703) 305-0409. The examiner can normally be reached on Monday - Thursday from 7:00 am to 4:30 pm (EST). The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



**SY D. LUU**  
**PRIMARY EXAMINER**